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7 Attorneys for Petitioner Bryan Wayne Crawley

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA  
10

11 BRYAN WAYNE CRAWLEY,

12 Petitioner,

13 v.

14 BRAD CAIN, et al.,

15 Respondents.  
16

Case No. 2:17-cv-02086-RFB-CWH

**UNOPPOSED MOTION FOR AN  
ENLARGEMENT OF TIME IN WHICH  
TO FILE A FIRST AMENDED PETITION**

(Second Request)

17 Petitioner Bryan Wayne Crawley moves this Court for an extension of time of  
18 ninety-one (91) days, from April 23, 2018, to and including Monday, July 23, 2018, to  
19 file an Amended Petition for Writ of Habeas Corpus. This motion is based upon the  
20 following declaration of counsel and the record in this case.  
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1 amended petition is currently due on January 22, 2018. *See* ECF no. 5. Crawley now  
2 requests this first extension of time for an additional 91 days, up to and including  
3 Monday, July 23, 2018, to file an amended petition for the following reasons.

4 3. Counsel has only recently meet with Mr. Crawley, in Oregon to discuss, his  
5 very complicated case and has conducted his initial meeting with his supervisor.  
6 Based on these meetings it is incumbent on counsel to spend a significant amount of  
7 time to review Mr. Crawley's huge record.<sup>1</sup> Furthermore, counsel was recently  
8 involved in a car accident, which has necessitated counsel being out of the office.

9 4. Due to the above, an extension of time is necessary to provide counsel sufficient  
10 time to: (1) review the extensive record in this case; (2) to obtain treatment for injuries  
11 sustained in a recent car accident; and (3) allow counsel sufficient time to draft the  
12 amended petition.

13 5. Counsel has contacted Senior Deputy Attorney General Heather Proctor. Ms.  
14 Proctor had no objection to the request for an extension of time, with the caveat that  
15 nothing about the decision not to oppose Petitioner's extension request signifies an  
16 implied finding of a basis for tolling any applicable period of limitations or the waiver  
17 of any other procedural defense. Petitioner at all times remains responsible for  
18 calculating any limitations periods and understands that, in granting an extension  
19 request, the Court makes no finding or representation that the petition, any  
20 amendments thereto, and/or any claims contained therein are not subject to dismissal  
21 as untimely.

22 6. This motion is not filed for the purpose of delay, but in the interests of justice,  
23 as well as in the interest of Mr. Crawley. Nev. R. Prof. Conduct 1.1. I request that  
24 this Court grant the request for an extension of time to file the amended petition to  
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26 <sup>1</sup> The State of Nevada sought the death penalty in Mr. Crawley's case, and his trial lasted almost a month.

1 Monday, July 23, 2018, to ensure the effective and thorough representation of Mr.  
2 Crawley.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Dated this 23<sup>rd</sup> of April, 2018.

5 Respectfully submitted,

6 RENE L. VALLADARES  
7 Federal Public Defender

8 /s/ T. Kenneth Lee

9 T. KENNETH LEE  
10 Assistant Federal Public Defender

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12  
13 IT IS SO ORDERED:

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16 RICHARD F. BOULWARE, II  
United States District Judge

17 DATED this 24th day of April, 2018.  
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Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Heather D. Procter

Bryan Wayne Crawley  
NDOC #60853  
No. 19960250  
Snake River Correctional Institution  
777 Stanton Blvd  
Ontario, OR 97914

/s/ Dayron Rodriguez  
An Employee of the  
Federal Public Defender